

REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 1 and 10 are amended without the introduction of new matter.

Claims 7 and 14 are cancelled without prejudice to, disclaimer of, or dedication to the public of the subject matter contained therein.

Claims 5 and 15-23 were previously cancelled.

Claims 1-4, 6 and 8-13 are pending.

II. Rejection under 35 U.S.C. § 102

Claims 1-4 and 6-14 were rejected under 35 U.S.C. § 102(b) as anticipated by Atwood et al. (U.S. 5,475,610, "Atwood"). The rejection of claims 7 and 14 are moot because those claims are cancelled in this Amendment. Applicants respectfully traverse the rejection of claims 1-4, 6, and 8-13.

Initially, Applicants and Applicant's representatives wish to thank Examiner Robert J. Eom for the telephone interview on November 8, 2011. During the interview, the outstanding rejections were discussed in detail. The present Amendment reflects the result of the interview.

In response to the outstanding Office Action and the above-noted result of the interview, independent claim 1 is amended to clarify features of the fourth step recited in claim 1. Support for amended claim 1 is found in, for example, the specification at page 16, line 12, through page 17, line 13.

Specifically, in the fourth step, which is performed between the first and second steps, a step of pre-examining correlation is now positively recited and clarified as “pre-examining correlation between an object-container temperature difference and the ambient temperature, measured during a predetermined period of time starting from the beginning of raising the temperature, the predetermined period of time being within a range of 10 seconds to 2 minutes.” Also in the fourth step, a step of “calculating the estimated temperature of the contained object based on the pre-examined correlation” is now positively recited to clarify the features of the fourth step.

In contrast, Atwood does not disclose, teach or suggest the above-noted features of the step of pre-examining correlation and the step of calculating, recited in amended claim 1. With regard to the Examiner’s statement in the outstanding Office Action at page 3, lines 11 and 12 in Item 3, that Atwood discloses the features of “heating the sample for up to 20 seconds (C60/L33), Atwood merely describes that “[d]eliver maximum power to heaters for 20 seconds while summing the difference in block to coolant temperature as well as heater power.” In this regard, Atwood does not disclose, teach or suggest that the above-noted correlation is pre-examined during a predetermined period of time starting from the beginning of raising the temperature and that the pre-determined period of time is within a range of 10 seconds to 2 minutes.

Accordingly, amended claim 1 and claims dependant therefrom are patentably distinguishable over Atwood.

Independent claim 10 is amended to clarify features of the second step recited in claim 10. Support for amended claim 10 is found in, for example, the specification at page 16, line 12 through page 17, line 13.

Specifically, in the second step, a step of pre-examining correlation is now positively recited and clarified as “pre-examining correlation between the ambient temperature and a difference between the temperatures of the contained object and the container, measured during a predetermined period of time, which is within a range of 10 seconds to 2 minutes.” Also in the second step, a step of “calculating the amount of heat energy based on the pre-examined correlation” is now positively recited to clarify the features of the second step.

For reasons substantially similar to those advanced for amended claim 1, Atwood does not disclose, teach or suggest the above-noted features of the step of pre-examining correlation and the step of calculating, recited in amended claim 10.

Accordingly, amended claim 10 and claims dependant therefrom are patentably distinguishable over Atwood.

Therefore, Applicants respectfully request the withdrawal of the rejection of claims 1-4, 6 and 8-13.

CONCLUSION

It is believed, for the foregoing reasons, that the present claims are in condition for allowance, and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned if the Examiner has any questions.

A request for continued examination and appropriate fee are enclosed. Applicants do not believe that any other fees are due. However, if any fees are due, please charge such sums to our Deposit Account: 50-1145.

Respectfully submitted,

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